

**From:** jbeamon@ensl.eatel.net@inetgw  
**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

I am a Systems Administrator at a local ISP outside Baton Rouge, LA. I have been in IT professionally for 3-plus years, using a mix of Windows, NT, Solaris, and Linux. I must object, under the provisions of the Tunney Act, to the proposed settlement offer extended toward Microsoft.

The original "suit against Microsoft" was all about Netscape's Navigator web browser. Microsoft banned PC vendors from installing Netscape onto new PC's and placed their own Internet Explorer (ie) logo on the desktop. As a subtle maneuver directed at people new to the computer market, "shortcuts" from non-Microsoft products placed on the computer's desktop bear a small white arrow, indicating their role as an artificial pointer to some add-on product. Microsoft's ie and Outlook shortcuts were engineered to not bear the little white arrow, making them appear built-in and native to the OS. Right-clicking a third-party shortcut gives you the shortcut's properties: where it leads to, what sort of screen environment it runs in. Right-clicking a Microsoft shortcut gives you the application's properties: connection type, advanced settings, email accounts, home page. These may appear small thing, but they present a profound psychological influence on new computer users that is not beyond the intentions of Microsoft.

Microsoft has made their Office product's file formats a moving target for competing developers for years. This would not have been such an issue, had their not been prepackaged bundling of Office onto retail PC packages, built-in compatibility with the Wordpad application provided free with Windows, and so on. Working in an all-Solaris department, I once received memos and timesheets in digital formats from my HR and Payroll departments as .doc and .xls documents. Without Microsoft's Word and Excel products (I probably just violated a trademark by typing that...), I could not open my company's own communication. Had they been web-based or in plain text or in some easily translatable format that other applications could open, I would not have had the problem. It's not about whether I get Granny's letter or pictures, it's about whether I bundled or purchased Office to open the file formats that were included with her machine. If she were sending me encrypted pictures of her nuclear sub, I'd understand, but this is common "plain text" messaging. It shouldn't be any more difficult or expensive to read than the text on a pager.

MSNBC offers versions of its news-update application for Windows and Macintosh, but the End User License Agreement (EULA) states that the applications MUST be run on a version of the Windows operating system.

As an internet systems admin, I face the routine task of cleansing my

server logs from intrusion and denial-of-service (DoS) attacks. Nearly 100% of these attacks are searches for "winnt/cmd.exe" or "winnt/root.exe", leftover from the CodeRed and Nibda worms. Their IIS product (web server) has been inherently vulnerable and insecure since day one, and there have been only an endless stream of patches and quick fixes to deal with it. Producing a product that is secured by default has not been a priority. The inclusion of automatic application execution, ActiveX controls, and Visual Basic scripting in their Outlook mail program has only served to exacerbate the problems by enlarging the base from which these worms can operate. Granted, my apache (www.apache.org) web server, open sourced and developed with security in mind, has never suffered from these attacks directly, but my drives fill up with log files recording each ill-gotten request they must answer.

I'm certain you've heard most of this before, but I had to make my voice heard. Credit <http://slashdot.org> for reminding me that the Tunney Act comment period was expiring. I will be a co-signer of Dan Kegel's open petition, hosted online at <http://www.kegel.com/remedy/letter.html>, to see this proposed settlement redeveloped with some actual teeth to solve the problems that were originally brought to court in the first place... like smaller firms coming up with better ideas, being barred from inclusion in retail PC's until they're starved and bought out, then having their ideas "innovated" into Windows as Windows-only software products.

John Beamon  
Systems Administrator  
Baton Rouge, LA  
[johnb@eatel.com](mailto:johnb@eatel.com)